

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: H3/17/09

A Bill

HOUSE BILL 1989

5 By: Representative M. Martin
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For An Act To Be Entitled

9 AN ACT TO AMEND TITLE 6 CONCERNING HOME SCHOOL
10 LAW; AND FOR OTHER PURPOSES.

Subtitle

11 TO AMEND TITLE 6 CONCERNING HOME SCHOOL
12 LAW.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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19 *SECTION 1. Arkansas Code § 6-15-503 is amended to read as follows:*
20 *6-15-503. Prerequisites to home schooling.*

21 *(a)(1) Parents or guardians desiring to provide a home school for*
22 *their children must give written notice to the ~~superintendent of their local~~*
23 *~~school district~~ Home School Office of the Department of Education of their*
24 *intent to provide a home school for their children and ~~sign a waiver~~*
25 *~~acknowledging that the State of Arkansas is not liable for the education of~~*
26 *~~their children during the time that the parents choose to home school:~~*

27 *(A) At the beginning of each school year but no later than*
28 *August 15;*

29 *(B) By December 15 for parents who decide to start home*
30 *schooling at the beginning of the spring semester; or*

31 *(C) ~~Subject to the provisions of subsection (d) of this~~*
32 *~~section, fourteen (14) calendar days prior to withdrawing the children from~~*
33 *~~the local school district and at the beginning of each school year~~*
34 *~~thereafter. The superintendent or the local school board of directors may~~*
35 *~~waive the fourteen-day waiting period~~ Within five (5) days after withdrawing*
36 *from public, private, or parochial school if the withdrawal occurs during the*



1 school year.

2 (2) Within thirty (30) calendar days of establishing residency
3 within ~~the~~ a school district, parents or guardians moving into ~~the~~ a school
4 district during the school year must give written notice to the
5 ~~superintendent of their local school district~~ Home School Office of their
6 intent to provide a home school for their children ~~and sign a waiver~~
7 ~~acknowledging that the State of Arkansas is not liable for the education of~~
8 ~~their children during the time that the parents choose to home school.~~

9 (3) The notice must include:

10 (A) The name, date of birth, grade level, and name and
11 address of the school last attended, if any, of each student involved; and

12 (B) The location of the home school; and

13 ~~(C) The basic core curriculum to be offered;~~

14 ~~(D) The proposed schedule of instruction; and~~

15 ~~(E) The qualifications of the parent teacher.~~

16 ~~(4) Parents or guardians shall deliver written notice in person~~
17 ~~to the superintendent of their local school district the first time such~~
18 ~~notice is given.~~

19 (b) This information may be used only for statistical purposes and
20 test administration.

21 ~~(c) Each local school district shall report the statistical data~~
22 ~~required by this section to the Department of Education each year.~~

23 ~~(d) (1) No public school student shall be eligible for enrollment in~~
24 ~~a home school if the student is currently under disciplinary action for~~
25 ~~violation of any written school policy, including, but not limited to,~~
26 ~~excessive unexcused absences.~~

27 ~~(2) Public school students who are under disciplinary action by~~
28 ~~the local school district shall be eligible for enrollment in a home school~~
29 ~~if:~~

30 ~~(A) The superintendent or local school board of directors~~
31 ~~chooses to allow the child to enroll in a home school;~~

32 ~~(B) The disciplinary action against the student has been~~
33 ~~completed or the school semester has ended, whichever occurs first; or~~

34 ~~(C) The student has been expelled.~~

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36 SECTION 2. Arkansas Code § 6-15-504 is amended to read as follows:

1 6-15-504. Home-schooled students – Achievement tests – Enrollment or
2 reenrollment in local schools.

3 (a) Each student enrolled in a home school program who is considered
4 to be at grade level or no more than two (2) years beyond the normal age for
5 the appropriate grade for which the state mandates norm-referenced tests for
6 public school students shall be tested using a nationally recognized norm-
7 referenced achievement test selected by the State Board of Education.

8 (b)(1)(A) The administration of the tests required of home-schooled
9 students shall be by the executive directors of the education service
10 cooperatives established under § 6-13-1001 et seq. ~~or as otherwise designated~~
11 ~~by the Department of Education.~~

12 (B) ~~For the purposes of this section, the superintendents~~
13 ~~of the Little Rock School District, North Little Rock School District, and~~
14 ~~Pulaski County Special School District shall act in lieu of an education~~
15 ~~service cooperative executive director~~ The directors of the education service
16 cooperatives shall jointly hire one (1) state coordinator of home school
17 testing.

18 (2) ~~The executive directors of the education service~~
19 ~~cooperatives~~ state coordinator shall establish a common set of procedures
20 approved by the Commissioner of Education for the proper administration of
21 the tests required by this section.

22 (3) The administration shall include purchasing the test
23 materials, giving the tests, scoring and interpreting the tests, and
24 reporting test results to the parent or guardian of the home-schooled
25 student.

26 (c) The cost of testing required by this section shall be the
27 responsibility of the department when the tests are administered ~~by the~~
28 ~~directors of the education service cooperatives or other department designees~~
29 under the direction and control of the state coordinator.

30 (d)(1) Alternate testing procedures may be approved by the ~~executive~~
31 ~~director of an education service cooperative~~ state coordinator after
32 consultation with the parents of a home-schooled student.

33 (2) The state coordinator may allow a parent or guardian of a
34 home-schooled student to select a nationally recognized norm-reference test
35 that was not selected by the State Board of Education.

36 (3) ~~However, any~~ Any costs associated with an alternate testing

1 procedure shall be the responsibility of the parents.

2 (e)(1)(A) Any student who refuses to participate in the testing
3 program or the alternate testing program required by this section and has not
4 been excused from testing requirements by the state coordinator has not met
5 the statutory prerequisites for home schooling and, as any other student,
6 shall be subject to the applicable Arkansas laws regarding truancy.

7 (B)(i) Within thirty (30) days after the testing under
8 this section is completed, the state coordinator shall prepare a list of
9 students who are required to test but did not test and were not excused from
10 testing.

11 (ii) The state coordinator shall prepare and send
12 certified letters to the parent or guardian of the home-schooled student at
13 the address on file with the Home School Office notifying them that:

14 (a) The home-schooled student has not met the
15 statutory requirements for home schooling and that the parent or guardian
16 must utilize the alternative testing procedures to have the home-schooled
17 student tested; and

18 (b) Refusal to comply with the testing
19 requirements may subject the home-schooled student to the truancy laws of the
20 state.

21 (C) After a student corrects any refusal to participate in
22 the testing program or the alternate testing program ~~as determined by the~~
23 ~~department and~~ required by this subsection, the student shall be restored to
24 home school status after his or her parent or guardian has complied with all
25 requirements of § 6-15-503.

26 (2) This subsection shall not be applicable to any parent who
27 can present written acknowledgement that the child has been enrolled in a
28 public, private, or parochial school within thirty (30) days of the
29 administration of the state-mandated achievement test.

30 (f)(1) ~~Each local school district may assess any home-schooled student~~
31 ~~who enrolls or reenrolls in the school district in order to determine proper~~
32 ~~educational placement.~~

33 (2) ~~Among other means of assessment, the local school district~~
34 ~~shall utilize the norm-referenced test approved by the state board to assess~~
35 ~~the student and shall determine placement in the appropriate grade level as~~
36 ~~indicated by the test results~~ Within sixty (60) days after the testing under

1 this section is completed, the state coordinator shall prepare a list of
2 home-schooled students who complied with the testing requirements and send a
3 letter to the parent or guardian of the home-schooled student to the address
4 on file with the Home School Office notifying them that the home-schooled
5 student has met the testing requirements required by law.

6 (g) A school district shall recognize the credits and courses taken by
7 the home-schooled student in the same manner as credits and courses taken by
8 a student who transfers into the school district from another school
9 district, private school, or parochial school when a home-schooled student
10 transfers to a school district.

11 (h) Any home-schooled student who enrolls or reenrolls in a local
12 school district must attend classes for at least nine (9) months immediately
13 before graduation before the student can become eligible to receive a high
14 school diploma from the school district.

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17 /s/ M. Martin
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